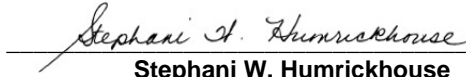




**SO ORDERED.**

**SIGNED** this 16 day of October, 2013.

  
Stephani W. Humrickhouse  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT FOR THE  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION**

<b>IN RE:</b>	)	<b>CASE NO.: 13-05738-8-SWH</b>
<b>DAVID ANTHONY SIMPSON</b>	)	
	)	
<b>DEBTOR</b>	)	<b>CHAPTER 7</b>

**ORDER AVOIDING JUDICIAL LIEN**

This matter comes before the Court upon Debtor's Motion to Avoid Lien and it appearing to the Court that Debtor served a copy of the Motion and Notice of Motion on the appropriate parties; and

**IT APPEARING FURTHER** to the Court that the time for those parties to respond has expired with no response having been filed. From Debtor's uncontroverted motion the Court makes the following findings of fact:

1. That this matter is a core proceeding pursuant to 28 U.S.C. Section 157 and that the court has jurisdiction pursuant to 28 U.S.C. §§ 151, 157 and 1334.
2. Among the creditors listed in the Debtor's Chapter 7 petition and schedules is SUSO 1 Fuquay, LLP (hereinafter, the "Creditor") in the amount of \$293,028.13 due as of

September 11, 2013. The creditor has obtained the judgment in connection with case number 13 CVS 8964 against the Debtor in Wake County on August 7, 2013.

3. The lien of the Creditor on the property impairs the Debtor's right to exemptions in the real property located at 7100 Ladora D., Willow Spring, NC 27592, more particularly described in Wake County Register of Deeds, Book 13186, Page 1058 as:

See Exhibit A (Attached to Motion)

4. The market value and superior liens are as follows:
  1. Market value of the property is \$261,000.00;
  2. Mortgage Lien to State Employees Credit Union in the approximate amount of \$236,000.00.
  3. Debtor's equity in the property after the application of the mortgage and tax liens is \$25,000.00.
5. The Debtor is entitled to an exemption in the property, the value of which cannot exceed \$35,000.00 per debtor pursuant to N.C.G.S. 1C-1601(a)(1). The value of the Debtor's interest in the Property is \$25,000.00, and therefore he is entitled to claim all of his interest in the property as exempt.

**IT IS ORDERED, ADJUDGED AND DECREED** that said motion to avoid judicial lien be, and hereby is allowed, and

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the lien of SUSO 1 Fuquay, LLP on the property of the Debtor as herein and before noted in the findings of fact is avoided in its entirety.

**END OF DOCUMENT**